Civil Misc. Writ Petition No. 856 (S/B) of 2001.

Rajesh Giri Goswami & 2 ors. ……Petitioners

Versus

Chief Engineer & Head of
Department, Irrigation
Department, Uttaranchal
And six others. ……..Respondents.

Hon'ble P.C. Verma, J.
Hon'ble M.C. Jain, J.

This petition has been filed by the petitioners seeking writ of certiorari to quash the order dated 30.6.2001 transferring them from Haldwani, Nainital and Rudrapur respectively and also its modification order dated 05.07.2001. The transfer order is to take effect from 15th October, 2001.

The transfer order has been challenged that the petitioners have opted for Uttar Pradesh and they are likely to be relieved and since they are likely to be relieved for Uttar Pradesh, their transfer to any other place in the State of Uttaranchal shall not be in the interest of petitioners.

The argument of learned counsel for the petitioners in misconceived in view of the provision of Sec. 75 of U.P. Re-organization Act. Till the final allocation is not made by the Government of India under the U.P. Re-organization Act, 2000, the appropriate authority is competent to transfer any employee in the State of Uttaranchal. Therefore, the ground taken in the writ petition, challenging the transfer order is not tenable in the eye of law.

No other ground is pressed.

The petition has no force and it is dismissed accordingly.

P.C. Verma, J. **M.C. Jain, J.**

05.10.2001
P.Singh